

## REGULATORY REVIEW COMMITTEE

- MINUTES -

**MEETING DATE:** April 30, 1999

**TO:** Building Services Division Staff                      Land Use Services  
Division Staff

Lynn Baugh  
Nathan Brown  
Pam Dhanapal  
Ken Dinsmore  
Chris Ricketts

Mark Carey  
Lisa Pringle  
Greg Borba  
Lanny Henoch  
Gordon Thomson

Greg Kipp, Director  
Kevin Wright, Prosecuting Attorney's Office

**FM:** Sophia Byrd, Code Development Coordinator

Present: John Briggs (PA), Nathan Brown, Pam Dhanapal, Ken Dinsmore, Lanny Henoch, Gordon Thomson, Harold Vandergriff, Susan Marlin (Recorder)

Issue:

1. How do we determine what is a single residential unit vs. a duplex or accessory dwelling unit when a residence has more than one food preparation area and other amenities that are indicative of an additional living unit? The definition of "dwelling unit" talks about 'internal accessibility' between rooms. What does internal accessibility consist of? What are the minimum facilities needed to be a residential unit? (K.C.C. 21A.06.345 and K.C.C. 21A.06.662) (Pam Dhanapal)

Discussion:

The review of a two-unit townhouse in the City of Kenmore prompted these questions. The Zoning Code permits two units, however, the design of the plans appears to indicate four units in that the lower level contains kitchen and laundry areas and has a door closing off internal accessibility.

**K.C.C. 21A.06.345 Dwelling unit.** Dwelling unit: one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants; dwelling units include but are not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes.

**K.C.C. 21A.06.370 Dwelling unit, townhouse.** Dwelling unit, townhouse: a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwellings by common walls.

**K.C.C. 21A.06.662 Kitchen or kitchen facility.** Kitchen or kitchen facility: an area within a building intended for the preparation and storage of food and containing:

- A. An appliance for the refrigeration of food;
- B. An appliance for the cooking or heating of food; and
- C. A sink.

Conclusion:

1. The difference between a single residential unit and a duplex or accessory residential unit appears to hinge on the term "internal accessibility." It was suggested that either a code interpretation or public rule be written to define "internal accessibility."

2. Regarding minimum facilities needed to constitute a residential unit, it was observed that the Zoning Code does not place a limit on the number of kitchen facilities a residential dwelling unit (single or otherwise) may have. The observation was also made that the definition of "kitchen or kitchen facility" in K.C.C. 21A.06.662 is not meant to be read to require sub A, B, and C cumulatively. Rather, a kitchen/kitchen facility could possess sub A, B, or C. The use of the word "and" between sub B and C confuses this distinction, suggesting a code amendment may be necessary to clarify the definition if, in fact, the Department does read sub A through C exclusively instead of inclusively.

3. The Committee suggested we offer the City of Kenmore our opinion but confer the decision to them. The PA will review the plans and report to us his findings, for the purposes of similar future reviews.

SB:sm